

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

WILLIAM C. BOND

*

Plaintiff *Pro Se*

v.

*

Civil Action No.: MJG-01-CV-2600

KENNETH BLUM, SR., et al.

*

Defendants

*

* * * * *

**MOTION TO ALTER OR AMEND AND/OR VACATE ORDER OF
SEPTEMBER 4, 2008 (PAPER NO. 294)**

Now comes Plaintiff *Pro Se*, William C. Bond, under FRAP 59, 60, and all other applicable rules and laws and states:

1. This Court recently issued an ORDER CLEARING RECORD RE: MOOT MOTION on September 4, 2008 (paper no. 294) regarding paper no. 246.
2. But, this Court already ruled once before upon paper no. 246, Plaintiff's Motion for FRAP 60(b) Relief, on July 12, 2007 (paper no. 274), albeit the Court wrongly identified said motion as **paper no. 247.**
3. Nevertheless, the Court has now ruled a second time upon this Motion. Plaintiff believes that it

FILED COURT
U.S. DISTRICT OF MARYLAND
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CLERK'S OFFICE
AT BALTIMORE
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is inappropriate for the Court to now label this ruling, and underlying motion, as moot.¹

4. While FRAP 60 gives Article III Judges free range to modify Orders “in the interests of justice,” clearly the matter before the Court was a simple one of a “clerical mistake.”

5. The proper and just correction this Court must immediately make is to Vacate the Court’s Order of September 4, 2008 and simply Order that the Court has already ruled upon, and denied, paper no. 246 on July 12, 2007, although the Court misidentified said paper as **paper no. 247**.²

WHEREFORE, for the aforementioned reasons, Plaintiff respectfully requests that this Court Vacate their Order of September 4, 2008 and simply correct the record in this case regarding paper no. 274.

Respectfully submitted,



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¹ Please see: paper no. 274, pages 1, 5 - 8, & 11. Clearly, the precise legal definition of the word “moot” can not apply to the Court’s handling of paper no. 246.

² Certainly, should this Court find reason to deny this Motion, any communications and methods thereof which caused this disputed Order more than a year after the District Court dismissed Plaintiff’s post judgment actions and while said actions are on appeal should be made a part of the record in this case.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 8th day of September, 2008 copies of Plaintiff's MOTION TO ALTER OR AMEND AND/OR VACATE ORDER OF SEPTEMBER 4, 2008 (PAPER NO. 294) were mailed US Mail, postage prepaid, to William F. Ryan, Jr., Esquire, Amy E. Askew, Esquire, Whiteford, Taylor & Preston, LLP, Suite 1400, 7 St. Paul Street, Baltimore, Maryland 21202-1626, attorneys for McDaniel, Bennett & Griffin; Gerard P. Martin, Esquire, Thy C. Pham, Esquire, Rosenberg, Martin, Greenberg LLP, 25 South Charles Street, Suite 2115, Baltimore, Maryland 21201-3322, attorneys for Defendants, Dudley F. B. Hodgson, Kenneth Blum, Sr. and Kenneth Blum, Jr.; Andrew Radding, Esquire, Michael R. Severino, Esquire, Adelberg, Rudow, Dorf & Hendler, LLC, 7 St. Paul Street, Suite 600, Baltimore, Maryland 21202, attorneys for Defendant, Adelberg, Rudow, Dorf & Hendler, LLC; and William H. Slavin, 300 Three Island Boulevard, Apartment 810, Hollandale Beach, Florida 33009



WILLIAM C. BOND